



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Paper No. 21

DAVID H HITT
HITT CHWANG & GAINES
225 UNIVERSITY PLAZA
275 WEST CAMPBELL RD
RICHARDSON TX 75080

COPY MAILED

OCT 08 2002

OFFICE OF PETITIONS

In re Application of
Nitin J. Shah
Application No. 09/082,044
Filed: May 20, 1998
Attorney Docket No. SHAH-11
Title: SYSTEM AND METHOD FOR
DENOTING AND COMMUNICATING WITH
COMPUTER NETWORK MOBILE SITES

DECISION ON PETITION

This is a decision on the petition filed February 25, 2002 (Certificate of Mailing dated February 4, 2002), to revive the above-identified application pursuant to 37 CFR 1.137(b). The Office apologizes for the delay in responding to petitioner.

The petition is **GRANTED**.

The above-identified application became abandoned as a result of petitioner's failure to timely file an Appeal Brief. A final Office action was mailed on February 27, 2001, which set a shortened statutory period for reply of three months. Petitioner filed a Request for Reconsideration on May 2, 2001. However, petitioner was advised by Advisory Action mailed May 22, 2001 that petitioner's reply failed to place the application in condition for allowance. Petitioner then filed a Notice of Appeal on June 1, 2001.¹ Accordingly, petitioner had two months from the filing of the Notice of Appeal, or until August 1, 2001, to file an Appeal Brief in triplicate. No Appeal Brief having been received and no extensions of time having been obtained, the above-identified application became abandoned on August 2, 2001. A Notice of Abandonment was mailed on December 4, 2001.

With the instant petition, petitioner filed an Appeal Brief in triplicate, paid the petition fee, and made the proper statement of unintentional delay.

Deposit Account No. 12-2325 has been charged the \$320 fee for the filing of the Appeal Brief, as authorized.

¹ The Notice of Appeal was made timely by including a Certificate of Mailing dated May 29, 2001, and by the fact that May 28, 2001 and May 27, 2001 fell on a federal holiday and a Sunday, respectively.

The file does not indicate a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

The application file is being forwarded to Technology Center 2100 for review of the Appeal Brief by the examiner.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0272.



Cliff Congo
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc: Hitt, Gaines, & Boisbrun, P.C.
P.O. Box 832570
Richardson, Texas 75083